

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

July 20, 2005

DIVISION ONE

B164727 Garcia et al. (Not for Publication)
 v.
 Dept of Transportation

The order granting a new trial is reversed and on remand the trial court is directed to enter judgment on the jury verdict. Plaintiffs are entitled to their costs on appeal.

Mallano, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

DIVISION THREE

Court convened at 9:30 a.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B178322 People v. Alvarado
B180793 People v. Belton

Argument waived, cause submitted.

DIVISION THREE (Continued)

B179929 People
 v.
 Boyd

Merits:
Argued by Lynette Moore for appellant. Argument waived by the respondent. Cause submitted.

B177820 Bonnell, et al.
 v.
 McDonald

Merits:
Argued by Gary McDonald appellant in propria persona and by Robert P. Huckaby for respondents. Cause submitted.

B176854 Stern
 v.
 Winston, Jr.

Merits:
Argued by Kenneth Stern appellant in propria persona. Argument waived by the respondent. Cause submitted.

B178948 People
 v.
 Macias

Merits:
No appearance by the appellant. Respondent's counsel appears and waives argument. Cause submitted.

DIVISION THREE (Continued)

B179327 Perez-Torres
 v.
 State of California, et al.

Merits:
Argued by Donald W. Cook for appellant and by Paul E. Epstein, deputy attorney general for respondents. Cause submitted.

B174691 Business to Business Markets, Inc., et al.
 v.
 Kshema Technologies, Ltd.

Merits:
Argued by Stuart B. Esner for appellants and by Timothy Cronin for respondent. Cause submitted.

Court recessed at 10:48 a.m.

Court reconvened at 1:30 p.m

Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B164620 Lopes v. Matlock
B177828 People v. Flowers
B175614 People v. Guerra

Argument waived, cause submitted.

B173369 Schaening
 v.
 Schaening

Merits:
Argued by John Bunnnett for appellant and by David Carico for respondent. Cause submitted.

DIVISION THREE (Continued)

B176060 Stein
v.
Hilton Hotels

Merits:

Argued by Michael G. York for appellant and by Kevin Campbell for respondent. Cause submitted.

B175319 People
v.
Rodriguez

Merits:

Argued by Susan L. Ferguson for appellant and by Susan Lee Frierson, deputy attorney general for respondent. Cause submitted.

B170431 People
v.
Madrigal

Merits:

Argued by Laura Schaefer for appellant and by Sharlene A. Honnaka, deputy attorney general for respondent. Cause submitted.

B176262 Yarmie
v.
Martin

Appearances:

Alan D. Negron for appellant and by Dana Lee Yarmie respondent in propria persona. Matter continued to October 12, 2005 at 1:30 p.m. Appellant shall serve a copy of the appellant's opening brief on the respondent with proof of service sent to this court. Respondent's brief shall be due 30 days from the date of filing of the proof of service.

DIVISION THREE (Continued)

B177655 The Carlton Owners Association
 v.
 Assaad

Merits:
Argued by Richard D. Salyer for appellant and by Alejandro Portales for respondent. Cause submitted.

B174164 People
 v.
 Murillo, et al.

Merits:
Argued by Jeffrey Neddelman for appellant Dennis Palacion and by David E. Madeo, deputy attorney general for respondent. Cause submitted.

Court adjourned.

B166475 Daimlerchrysler Services North America LLC
 v.
 Zurich American Insurance Company
 Marsh, Inc.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION FOUR

B175483 Mahmood and Chaudhry (Not for Publication)
 v.
 Mohammad Sharif, Rukhsana Sharif and Dr. M. Sharif

The judgment is affirmed. Respondent(s) to recover costs.

Willhite, J.

We concur: Epstein, P.J.
 Hastings, J.

July 20, 2005 (Continued)

DIVISION FOUR (Continued)

B177471 Vongyai (Not for Publication)
v.
McGraw

The judgment is affirmed. Respondent(s) to recover costs.

Willhite, J.

We concur: Epstein, P.J.
Hastings, J.

DIVISION FIVE

B174746 Jennifer Ayre (Not for Publication)
v.
Santa Clarita Athletic Club

The judgment is affirmed. Respondent(s) to recover costs.

Kriegler, J.

We concur: Turner, P.J.
 Mosk, J.

B176278 Anthony Sneed (Not for Publication)
v.
International Rectifier Corporation et al

The judgment is affirmed. Sneed is awarded his costs on appeal.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Kriegler, J.

July 20, 2005 (Continued)

DIVISION FIVE (Continued)

B172740 Vaughn Bruenn (Not for Publication)
 v.
 Northrop-Grumman Corporation et al

The judgment is affirmed. Costs on appeal are awarded to respondent.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Kriegler, J.

B177964 Maria Guzman (Not for Publication)
 v.
 Troy Kirchhoefel

The judgment is affirmed. Defendant shall recover his costs on appeal.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Kriegler, J.

DIVISION SIX

B171903 People (Not for Publication)
 v.
 Chavez

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
 Coffee, J.

July 20, 2005 (Continued)

DIVISION SIX (Continued)

B180536 Andersen (Not for Publication)
v.
California Investors XII et al.,

The appeal is dismissed. Costs to respondents.

Perren, J.

We concur: Gilbert, P.J.
Coffee, J.

[illegible]

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B178540 Coulombe
v.
California Unemployment Insurance Appeals Board

Filed order denying petition for rehearing.

B175050 People
v.
Ambriz

Filed order denying petition for rehearing.

July 20, 2005 (Continued)

DIVISION SEVEN

[illegible]

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
Johnson, J.

B178560 Los Angeles County, D.C.S. (Not for Publication)
v.
Rafael C.,

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.

B176159 People (Not for Publication)
v.
Gonzalez

The judgment is affirmed.

Perluss, P.J.

We concur: Johnson, J.
 Zelon, J.

July 20, 2005 (Continued)

DIVISION SEVEN (Continued)

B177277 People (Not for Publication)
v.
Smith

The judgment is affirmed.

Perluss, P.J.

We concur: Johnson, J.
 Woods, J.

B173276 Sherman (Not for Publication)
v.
Sherman

The judgment is reversed to the extent it states the community property interest in the residence is \$680,759. In all other respects the judgment is affirmed. The matter is remanded to the trial court with the following directions: The trial court shall modify the judgment to reflect the community property interest in the residence is \$936,230. The court shall conduct further proceedings to determine the manner in which Melanie Sherman will be compensated for her share of the additional community property interest in the residence. Each party is to bear her/his own costs on appeal.

Johnson, J.

We concur: Perluss, P.J.
Zelon, J.

B172326 People
v.
Torres

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

July 20, 2005 (Continued)

DIVISION SEVEN (Continued)

B175896 People v. Garcia (Not for Publication)

The judgment is affirmed.

Johnson, J.

We concur: Perluss, P.J.
Zelon, J.

DIVISION EIGHT

B174888 People (Certified for Publication)
v.
Avila

The judgment is reversed and the matter is remanded for retrial.

Rubin, Acting P.J.

We concur: Boland, J.
Flier, J.